UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,358	01/27/2001	Randall F. Hornick	17243-00035	6083

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EXAMINER
HECK, MICHAEL C

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/771,358	HORNICK ET AL.
	Examiner	Art Unit
	Michael C. Heck	3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 May 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-18,20-42,48,49,51-54 and 57-78* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-18,20-42,48,49,51-54 and 57-78* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 January 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This Final Office Action is responsive to applicant's amendment filed 06 May 2005. Applicant canceled claims 4, 19, 43-47, 50, 55-60 and 71-74; amended claims 1, 5-6, 10-13, 15-16, 20-21, 23, 30-31, 34, 42, 48, 51-52, 54 and 61-69; and added new claims 75-78. Currently, claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78 are pending.

Response to Amendment

2.   The objection to the drawing regarding reference character "1040" in the last Office Action is withdrawn.

3.   The objection to the drawings regarding reference character "152" and Figure 44 in the last Office Action has been overcome by the applicant's amendment to the specification and drawings.

4.   The objection to the specification in the last Office Action has been overcome by the applicant's amendment to the specification.

5.   The 35 USC 101 rejection in the last Office Action for claims 1-15 have been overcome by the applicant's amendment to the claims.

6.   The 35 USC 101 rejection in the last Office Action for claims 43-47 are moot since the applicant canceled the claims.

Response to Arguments

7.   Applicant's arguments with respect to claims 1-74 have been considered but are moot in view of the new ground(s) of rejection. The combination of Fredell et al. (U.S. Patent 6,678,698), Foth et al. (U.S. Patent 6,839,690) and Parsons (U.S. Patent 6,411,939) teach all the amended claim features as indicated below. Foth et al. specifically teach prompting a user to create a business profile, which is old and well known in the business art. Parsons specifically teach an Internet-based system for searching for private banking, investment management, financial planning and estate planning services. Fredell et al. specifically teach the team process of consummating and completing a major financial transaction. The applicant argues hindsight reasoning and that it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggest tone of ordinary skill in the art. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). The references sited above communicate what one of ordinary skill in the art would know concerning business transactions, and more specifically eCommerce. Please see the 35 U.S.C. 103(a) rejections below.

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9.   **Claims 2-3, 6-7, 9, 11-14, 16-17, 21, 26, 28-29, 32-34, 36, 39, 41, 63 and 70** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.   Amended claim 1 recites the limitation "a user associated with the business entity".   Claim 8 further identifies "company user" and "non-company user". However the balance of the dependent claims refer to a "user", therefore it is unclear as to which user the applicant is referring to, i.e., a user associated with the business entity, a company user, or a non-company user. For example, claim 1 identifies a user associated with the business entity. Claim 2-3 and 6 refer to a user, and then claim 8 identifies multiple users such as a company user and a non-company user. Claims 9, 11-14 then refers to only a user while claim 15 specifically refers to a user associated with the business entity. Like claim 1, claim 16 recites the limitation " a user associated with the business entity " in addition to "a user". Claims 17 and 21 refer only to "a user", and then claim 23 identifies a "business entity user" and a "non-business entity user". Claims 26 and 28-29 then refers to only a user. Therefore, it is not clear as to what the applicant intended as to the definition "user" when identified without any clarifying description. For Examination purposes, the Examiners has interpreted "user" to mean "a user associated with the business entity".

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

11.   **Claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78** are rejected under 35

U.S.C. 103(a) as being unpatentable over Fredell et al. (U.S. Patent 6,678,698) in view

of Foth et al. (U.S. Patent 6,839,690) and further in view of Parsons (U.S. Patent

6,411,939).   Fredell et al. disclose methods and systems for identifying prospective

customers and managing deals comprising:

- **[Claim 1]** assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal (col. 4, lines 32-59 and col. 15, lines 15-40, Fredell et al. teach suitable projects involve financial or M&A transactions. The Acquisition Trustee System allows individuals to be grouped into multiple work teams and provides an on-line directory of project participants including standard demographics, their position on the team as a project manager or basic contributors, and their access to different systems areas. The Examiner interprets the participants are assigned.);

- assigning the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database (col. 4, lines 32-59, col. 7, lines 47-51 and col. 15, lines 15-40, Fredell et al. teach suitable projects involve financial or M&A transactions. The Acquisition Trustee System allows individuals to be grouped into multiple work teams and provides an on-line directory of project participants including standard demographics, their position on the team as a project manager or basic contributors, and their access to different systems areas. The viewer prompts the user to input one or more passwords or identifications which is recognized by either an

authorized editor module or an authorized reader module in order to access information on a database. The Examiner interprets the participants are assigned to include the customer.);

- assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal (col. 15, lines 15-46, Fredell et al. teach the Acquisition Trustee System provides the ability for a project manager to create, assign, and reassign tasks to project participants.);

- notifying the deal team members of the assigned tasks to be performed and milestones (col. 15, lines 15-67, Fredell et al. teach the Acquisition Trustee System provides the capability for a user to see a list of their tasks with the task description, status, and due date and provides notification that let people know when tasks are about to become overdue.); and

- tracking each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal (col. 15, lines 15-67, Fredell et al. teach the Acquisition Trustee System provides a project status overview that gives a user a snapshot of the project as it applies to them and their role in the process; provides the capability for a user to see a list of their tasks with the task description, status, and due date; and provides the project manager with an interface that allows them to see all of the tasks and current task status.).

Fredell et al. fail to teach prompting a user associated with the business entity to create a business profile at the server system for storing within the database, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database. Fredell et al. does teach any entity or financial institution can be connected to any other entity via a "virtual link". These entities are authorized by the network service company and the target to access project information by way of the network service provider service. Individuals within the acquiring entity and other external organizations are issued passwords or other access codes, which give them access only to those documentations that are approved for their review (col. 5, lines 35-46). Foth et al. teach that it is old and well known in the

art of conducting business on the Internet to create a business profile. Once the buyer clicks on an icon designating an intent to buy the goods, the buyer is immediately confronted with a screen that needs to be filled in with the personal profile and/or business profile of the buyer so that the seller may be able to determine whether or not he should make a deal with the buyer (col. 1, lines 44-49). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Fredell et al. to include the requirement of filling in a business profile of Foth et al. with Fredell et al. since Fredell et al. teach projects involving financial (i.e., loan syndication, equity underwriting, mortgage finance, municipal finance, asset-backed finance, etc.) or M&A transactions (col. 4, lines 38-59). Use of the Internet allows for an efficient means to share information. Fredell et al. teach securely communication and managing project information among multiple project participants through a global computer network (col. 3, lines 54-64). Foth et al. teach providing an Internet based system that allows a buyer and seller to obtain information about each other (col. 1, lines 62-65). Both Fredell et al. and Foth et al. teach using the Internet for Financial type transactions therefore there is a suggestion or motivation to combine. A reasonable expectation of success exists since Foth et al. collect and share information and Fredell et al. extend financial data management to include task management. Fredell et al. and Foth et al. teach or suggest all of the claim limitation as indicated.

Fredell et al. fail to teach accessing the server system by a prospective customer by displaying on the client system at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business

entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity; prompting a user associated with the business entity to create a deal at the server system between the business entity and the prospective customer after the prospective customer has accessed the server system and selected a proposed deal; and designating the prospective customer as a customer of the business entity. Fredell et al. does teach individuals within the acquiring entity and other external organizations are issued passwords or other access codes, which gives them access only to those documents that are approved for their reviews. The network service provider provides a web-based computer communicating system for communicating and managing project related information, such as may be used for closing a business deal involving multiple unrelated business organizations. Web pages include a plurality of clickable icons that provide access to an on-line "document vault" that allows for immediate access to participants, and a user navigator window including a plurality of clickable hyperlinks. Projects involving financial or M&A transactions are particularly suitable. Other transactions include loan syndication, equity underwriting, mortgage finance, municipal finance, and asset-backed finance (col. 4, lines 32-59, col. 5, lines 40-58 and col. 11, lines 39-47). Parsons teaches an Internet-based computerized investment service and financial planning service. Private Banking Services is selected and the participant is presented a menu of products and services from which to choose those that are of most interest or best suits the participant's needs to include dash management and lending

services. As the participant selects a particular product or services, a list of providers of

the particular products or services can be displayed, from which the participant makes a

selection. At that time the selected provider's marketing and other presentation

materials will be displayed on the Internet/network for the participant's review. This

initial contact can be to obtain additional information or to transact business. The

participant can make direct contact through the Participant's computer. To control

access, a password may be used. Eligibility is based on being a plan participant and/or

enrolled by a consultant or provider, with sufficient assets to benefit from the services,

as defined by the providers (Figure 17a, col. 7, lines 1-19, col. 37, line 47 to col. 38, line

27). It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to modify Fredell et al. with the proposed deal selection process

and customer designation of Parsons since Fredell et al. teach communications

between different parties that are associated for a temporary transaction or project (col.

4, lines 32-34). Connecting different groups of companies or entities via the Internet

efficiently facilitates secure communication. Fredell et al. teach distributing electronic

documents generally including sensitive information to selected users. Projects

involving financial or M&A transactions are particularly suitable. A Web server gives

each entity the ability to electronically link or be interconnected via a link module with

any number of external entities (col. 1, lines 11-20, col. 4, lines 33-59, and col. 6, lines

60-63). Parsons teaches a method for data processing and data management having

particular utility in the field of employee benefits, insurance, and compensation,

especially in a business or financial transaction data processing system. The foregoing

being carried out by providing an Internet-based computerized investment service and

financial planning service (col. 1, lines 21-34 and col. 7, lines 1-18). Both Fredell et al.

and Parsons teach using the Internet for Financial type transactions therefore there is a

suggestion or motivation to combine. A reasonable expectation of success exists since

Fredell et al. extends financial data management to include task management. Fredell

et al. and Parsons teach or suggest all of the claim limitation as indicated.

In summary, Fredell et al., Foth et al. and Parsons teach or suggest all the claim

limitations as indicated above.

- **[Claim 2]** the step of prompting a user to establish user accounts with
  authority levels of at least one of user, manager, and administrator (Fredell
  et al.: col. 6, lines 21-26, Fredell et al. teach the person posting the
  document generally decides who gets access to that document and may
  add or change indexing information for the document. After the person
  posting the document has indicated who should receive access, the
  document will be instantly available to authorized project participant.).

- **[Claim 3]** the step of prompting an administrator to set up a structure of
  divisions and sub-divisions for the business (Fredell et al.: col. 4, lines 13-
  31, Fredell et al. teach project managers may perform all of the interactions
  performed by other project participants, but they may also work in
  conjunction with the Network Service Provider administrator on project
  startup to allocate initial tasks and leverage historical information that the
  Network Service Provider may have archived from previously performed
  similar projects. The Network Service Provider administrator is responsible
  for setting up the system for a client and ensuring that the system is robust
  and fully functional.).

- **[Claim 5]** accessing the server system by a prospective customer by
  displaying on the client system a personalized web page including at least
  one of an originator page, a prospect page, an intermediary page and a
  customer page (Fredell et al.: col. 4., lines 63-67 and col. 5, lines 22-34,
  Fredell et al. teach a network service provider provides a central node for
  each virtual network in a collection of virtual networks corresponding to a
  plurality of different projects or transactions. The system provides a fully
  provisioned, turnkey service for users, e.g., financial firms, accounting firms,
  investment firms or other underwriting institutions. Once the financial or

other underwriting institution has established an account with the service provider, documents in electronic form can be uploaded to the secure site maintained by the service provider. The Examiner interprets this process to be the establishment of the originator page.).

- **[Claim 6]** accessing the server system by a prospective customer by displaying on the client system a personalized portal that prompts a user to create at least one of a work group, a my profile and a user profile (Fredell et al.: col. 5, lines 48-52, Fredell et al. teach the network service provider provides a secure virtual network (or "intranet") for the entities that support the secure electronic dissemination of confidential information documents, memoranda and related information and associated communications. The Examiner interprets the process to be establishing a work group.).

- **[Claim 7]** the step of prompting a user to create at least one of a deal summary, a deal timeline, a deal menu, a deal workspace, a deal discussions area, a deal library and a deal profile (Fredell et al.: col. 3, lines 11-28, Fredell et al. teach an interface screen is configurable to identify a plurality of project tasks. The interface screen includes a data field for defining a respective time window over which each of said tasks is to be performed by at least one project participant. The Examiner interprets the time window to be a deal timeline.).

- **[Claim 8]** the step of creating a briefing page, including channels for both company users and non-company users (Fredell et al.: col. 4, lines 32-41, and col. 5, lines 48-52, Fredell et al. teach the process can be used for many types of communications between different parties that are associated for a temporary transaction or project, but as competitors or for other reasons, are not suitable for a permanent communications network (LAN or WAN) as might be used for a single government agency or single corporation. The network service provider provides a secure virtual network (or "intranet") for the entities that support the secure electronic dissemination of confidential information documents, memoranda and related information and associated communications.).

- **[Claim 9]** the step of building a library for the deal (Fredell et al.: col. 3, lines 11-28, Fredell et al. teach storing project-related information including project documentation in a database.).

- **[Claim 10]** the step of providing a deal status to deal team members (Fredell et al.: col. 2, lines 54-57, and col. 15, lines 18-20, Fredell et al. teach a method and system for securely communicating and managing project information among multiple project participants. The system provides a

project status that gives a user a snapshot of the project as it applies to them and their role in the process.).

- **[Claim 11]** the step of prompting a user for feedback (Fredell et al.: col. 15, lines 29-36, Fredell et al. teach a shared discussion forum where project participants can raise and respond to project issues.).

- **[Claim 12]** the step of providing capability for at least one of a search of profiles of deal team members, a search across all businesses and a deal search, search results in a format specified by the user (Fredell et al.: col. 3, lines 29-48, and col. 15, lines 37-41, Fredell et al. teach an on-line directory of project participants including standard demographics, their position on the team as a project manager or basic contributor, and their access to different systems areas, such as scanned documents, but not task administration. The interface screen is configurable to identify a plurality of project tasks.).

- **[Claim 13]** the step of prompting a user to create or modify at least one of task templates for the deal and library templates for the deal (Fredell et al.: col. 15, lines 44-48, Fredell et al. teach the ability for a project manager to create, assign, and reassign tasks to project participants, and a repository of standard task templates grouped by industry and by function.).

- **[Claim 14]** the step of prompting a user to create a customer company profile (Fredell et al.: col. 3, lines 11-28, col. 4, lines 32-41, and col. 5, lines 48-52, Fredell et al. teach the method allows for storing project-related information including documentation in a database. The process can be used for many types of communications between different parties that are associated for a temporary transaction or project, but as competitors or for other reasons, are not suitable for a permanent communications network (LAN or WAN) as might be used for a single government agency or single corporation. The network service provider provides a secure virtual network (or "intranet") for the entities that support the secure electronic dissemination of confidential information documents, memoranda and related information and associated communications.).

- **[Claim 15]** prompting a user associated with the business entity to create or modify an index card used to track information regarding files uploaded and downloaded from a library of files stored within the database and assigned to the deal (Fredell et al.: col. 11, lines 35-38 and col. 16, lines 5-7, Fredell et al. teach the system provides tracking of each document to allow the participants to see who has had access to the messages and documents and who has modified or edited any of the documents. As documents are revised, the system allows document revisions to be stored, e.g., provide an audit trail that a track changes to task, documents, and issues.).

- **[Claim 75]** storing documents associated with the deal in a library within the database specifically assigned to the deal (Fredell et al.: col. 6, lines 6-26 and col. 7, lines 56-58, Fredell et al. teach a network service provider administrator or project participant using the system interacts with the system to load documents into a database as self-contained document files. A storing step allows the storing of project related information for each of the plurality of distinct projects in a database.); and

- enabling a user associated with the business entity to grant permissions to the customer for accessing specific documents stored within the deal library such that the customer can monitor the progress of the deal (Fredell et al.: col. 6, lines 6-26, col. 11, lines 35-38 and col. 15, line 15 to col. 16, line 7, Fredell et al. teach the person posting the documents generally decides who gets access to that document and may add or change indexing information for the document. After the person posting the document has indicated who should receive access, the document will be instantly available to any authorized project participants. The Acquisition Trustee system provides a project status overview that gives a user a snapshot of the project as it applies to them and their role in the process. Project managers with an interface are allowed to see all of the tasks and current task status. The system provides tracking of each document to allow the participants to see who has had access to the messages and documents and who has modified or edited any of the documents. As documents are revised, the system allows document revisions to be stored, e.g., provide an audit trail that a track changes to task, documents, and issues.).

- **[Claim 24]** said server is configured to assign tasks for members of the deal team (Fredell et al., col. 15, lines 44-45, and col. 16, lines 28-30, Fredell et al. teach the ability for a project manager to create, assign, and reassign tasks to project participants. When implemented on a computer, the computer program code segments configure the computer to create specific logic circuits or processing modules.).

- **[Claim 29]** said server is configured for at least one of prompting a user to create and modify task templates including milestones and tasks for the deal and prompting a user to create and modify library templates for the deal (Fredell et al., col. 15, lines 46-53, and col. 16, lines 28-30, Fredell et al. teach a repository of standard task templates grouped by industry and by function. The project manager can select form a standardized list of questions to create and assign tasks to individuals on the project team. The user can see a list of their tasks with the task description, status, and due date. When implemented on a computer, the computer program code

segments configure the computer to create specific logic circuits or processing modules.).

- **[Claim 34]** means for creating at least one of user accounts for the prospective customers through a personal portal or personalized web pages (Fredell et al.: col. 5, lines 13-21, Fredell et al. teach users can access the service via a communications link provided by a private network provider or a public Internet access provider such as AOL or Timer Warner Cable.).

Claims 16-18, 20-23, 25-28, 30-33, 35-42, 48-49, 51-54, 61-70 and 76-78 substantially recite the same limitations as that of claims 1-3, 5-15, 24, 29, 34 and 75 with the distinction of the recited method being a system, apparatus, database, method, computer readable medium, and computer. Fredell et al. teach computer-implemented processes and apparatus, computer-program code including computer-readable instructions embodied in tangible media, such as floppy diskettes, CD-ROMs, hard drives, or any other computer-readable storage medium, wherein, when the computer program code is loaded into and executed by a computer, the computer becomes an apparatus for practicing the process (col. 16, lines 19-30). Hence the same rejection for claims 1-3, 5-15, 24, 29, 34 and 75 as applied above applies to claims 16-18, 20-23, 25-28, 30-33, 35-42, 48-49, 51-54, 61-70 and 76-78.

Conclusion

12.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Michael C. Heck whose telephone number is (571) 272-

6730. The Examiner can normally be reached Monday thru Friday between the hours

of 8:30am - 4:30pm. If attempts to reach the examiner by telephone are unsuccessful,

the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 273-6729.

Any response to this action should be mailed to:

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Or faxed to:

(571) 273-8300   [Official communications; including After Final
communications labeled "**Box AF**"]

(571) 273-6730   [Informal/Draft communication, labeled "**PROPOSED**" or
"**DRAFT**"]

mch
22 September 2005

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600